



Saturna Island Local Trust Committee Regular Meeting Agenda

Date: July 21, 2022
Time: 11:30 am
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

			Pages
1.	CALL TO ORDER	11:30 AM - 11:45 AM	
2.	APPROVAL OF AGENDA		
3.	TRUSTEE REPORT		
4.	CHAIR'S REPORT		
5.	TOWN HALL AND QUESTIONS	11:45 AM - 12:00 PM	
6.	COMMUNITY INFORMATION MEETING	12:00 PM - 12:30 PM	
6.1.	Official Community Plan and Land Use Bylaw Minor Amendments Project - Proposed Bylaws 133 and 134		
7.	PUBLIC HEARING	12:30 PM - 1:30 PM	
7.1.	Official Community Plan and Land Use Bylaw Minor Amendments Project - Proposed Bylaws 133 and 134		
	7.1.1. <u>Recess for Public Hearing</u>		
	7.1.2. <u>Recall to Order</u>		
8.	MINUTES	1:30 PM - 1:40 PM	
8.1.	Local Trust Committee Minutes Dated May 19, 2022 (for Adoption)		3 - 10
8.2.	Section 26 Resolutions-without-meeting Report - None		
9.	BUSINESS ARISING FROM THE MINUTES		
9.1.	Follow-up Action List Dated July 2022		11 - 12
10.	DELEGATIONS		

11.	CORRESPONDENCE		
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>		
12.	APPLICATIONS AND REFERRALS		
13.	LOCAL TRUST COMMITTEE PROJECTS	1:40 PM - 2:10 PM	
13.1.	Official Community Plan and Land Use Bylaw Minor Amendments Project - Proposed Bylaws 133 and 134 - Staff Report (attached)		13 - 24
14.	REPORTS	2:10 PM - 2:20 PM	
14.1.	Work Program Reports (attached)		
	14.1.1. <u>Top Priorities Report dated July 2022</u>		25 - 25
	14.1.2. <u>Projects List Report Dated July 2022</u>		26 - 26
14.2.	Applications Report Dated July 2022 (attached)		27 - 28
14.3.	Trustee and Local Expense Report Dated May 2022 (attached)		29 - 29
14.4.	Adopted Policies and Standing Resolutions (attached)		30 - 33
14.5.	Local Trust Committee Webpage		
14.6.	Islands Trust Conservancy Report Dated May 2022		34 - 36
15.	NEW BUSINESS		
16.	UPCOMING MEETINGS		
16.1.	Next Regular Meeting Scheduled for October 20, 2022 at the Saturna Recreation and Cultural Centre, Saturna Island		
17.	TOWN HALL	2:20 PM - 2:35 PM	
18.	CLOSED MEETING		
	None		
19.	ADJOURNMENT	2:35 PM - 2:35 PM	



Saturna Island Local Trust Committee

Minutes of Regular Meeting

Date: May 19, 2022
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

Members Present: Laura Patrick, Chair
Paul Brent, Local Trustee
Lee Middleton, Local Trustee

Staff Present: Brad Smith, Island Planner
Robin Ellchuk, Recorder

Others Present: Approximately 20 members of the public were present.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 11:33 am. She acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TRUSTEE REPORT

Trustee Brent:

- Attended the Trust Programs Committee meeting this past week at which the Community Stewardship Awards were discussed; and
- In response to the Draft Policy Statement several people have expressed concerns and are not in favour of the Draft Policy Statement.

Trustee Middleton:

- Discussed the Governance & Management Review Report;
- There has been discussion on the best way to proceed with the 15 recommendations in the Report;
- The Report is available for the public to review on the Islands Trust website;
- There will be discussion of the Report at the June Trust Council meeting; and
- The first step in addressing the recommendations of the Report is for the Trust Council to establish a Governance Committee.

4. CHAIR'S REPORT

Chair Patrick:

- The next Trust Council Meeting held on June 21-23, 2022 will be a virtual meeting; and
- The Trust Council Meeting's Town Hall will be held on June 21 and the delegation submissions deadline for the Trust Council Town Hall portion of the meeting is June 2, 2022.

5. TOWN HALL AND QUESTIONS

Mairead Boland:

- The water use information in the third Groundwater Solutions report is flawed and should be reviewed technically before any regulations are decided on;
- The reports have only been in the public domain since January 2022 when they were catalogued. Specific questions regarding the report have not yet been addressed. If there is no further response, Ms. Boland proposes that the water use details for Saturna, and some of her other questions, are critically reviewed in a Saturna Local Trust Committee meeting. Ideally there should be base maps at the meeting and have plenty of time for questions to be asked and answered.

Trustee Middleton expressed that not including the Groundwater Solutions Report in today's meeting agenda was an oversight. Trustee Middleton indicated that the Report is in the early stage regarding new regulations for water management and potable water.

Chair Patrick informed Mairead Boland that the Senior Freshwater Specialist is preparing a response to address her concerns.

THIS IS STATED BELOW

Planner Smith noted that the Local Trust Committee may wish to add Groundwater as a late item to the meeting to address Mairead Boland's concerns, or include in next meeting.

Town Hall Continued with the following discussion:

- A member of the community talked about concerns with regards to water licences;
- A member of the community shared that the map of well locations for Saturna Island at the Nanaimo office for water licenses was not accurate; and
- Also the criteria for water measurement should include more than measuring wells, it should include catchment and water runoff.

Trustee Brent read a standing resolution that was passed a few months ago regarding measuring of water which included rain water catchment systems as proof of adequate potable water for subdivision.

Trustee Middleton spoke to the issue that the Ministry would abide by a standard of water measurement if there was an established standard of water measurement in place by the local authority. To establish a standard is part of the reason for the ground water study to include rain water and lower flow systems.

SA-2022-012

It was Moved and Seconded,

that Saturna Island Local Trust Committee request Staff address the questions provided by resident Mairead Boland.

CARRIED

SA-2022-013

It was Moved and Seconded,

that Saturna Island Local Trust Committee request staff to present a report at the next Saturna Island Local Trust Committee Regular Meeting and to have the Senior Fresh Water Specialist give a presentation on the groundwater study being completed.

This motion was not voted on.

- There are concerns regarding farm status and the farm land assessment process. The assessment is completed online now instead of with a visit from a government official in-person;
- A member of the community talked about concerns about discussions not happening enough regarding water and governance structure. That the residents are the ones who are knowledgeable about the facts regarding decisions about density issues and water use;
- There are also issues and concern about the Trustees not addressing the comments made by the residents on the southern Islands with regards to the criticism of the Islands Trust; and
- The question was asked, "Where do the residents bring their opinions and how to engage in discussion?" As the residents are informed and educated and want to have discussion with the government and Islands Trust regarding their issues.

Discussion occurred regarding the "preserve and protect" mandate of the Islands Trust and the importance of engagement with the community.

6. COMMUNITY INFORMATION MEETING

6.1 SA-LCB-2022.1 Feral Goat Winery Liquor License Expansion Application

Planner Smith summarized the staff report for the application.

Applicant: Doug & Ann Haywood talked about their intentions and plans for the winery. They addressed concerns regarding water, noise, the road maintenance, and the Liquor license needed as well as their desire to remain local and their commitment to community values. They thanked the community for their support. Trustee Brent stated there were 85 letters of support submitted by the community and 1 letter with concerns.

7. PUBLIC HEARING

None

8. MINUTES

8.1 Local Trust Committee Minutes Dated February 17, 2022

By general consent the Local Trust Committee meeting minutes of February 17, 2022 were adopted.

8.2 Section 26 Resolutions-without-meeting Report Dated May 2022

There were no questions raised.

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated May 2022

Outstanding letters regarding Southern Resident Killer Whales will be followed up by Trustee Middleton.

10. DELEGATIONS

None

11. CORRESPONDENCE

11.1 BC Electoral Boundaries Commission - March 3, 2022

There were no questions raised.

12. APPLICATIONS AND REFERRALS

12.1 SA-LCB-2022.1 (Feral Goat Winery) - Staff Report

SA-2022-014

It was Moved and Seconded,

that Saturna Island Local Trust Committee direct staff to send a response to the Liquor and Cannabis Regulation Branch regarding the Feral Goat Winery application for a New Lounge and Outdoor Patio at 32 Trueworthy Road that states:

- a. The proposed location of the lounge and outdoor patio is considered to be suitable;
- b. The proposed person capacity of one hundred and seventy-five (175) for the lounge and outdoor patio is considered to be suitable;
- c. The potential impacts due to noise if the application is approved would be very minimal;
- d. The potential general impacts on the community if the application is approved would be beneficial because of the cultural and economic benefits to the Island as a whole.
- e. The Local Trust Committee has solicited public input to gather residents' views and 86 residents provided written comments of which 85 were in favor;
- f. A notice of the application was mail dropped to all residences on Saturna Island, sent to the Saturna Beach Strata Corp for distribution to strata members, posted on local bulletin boards, posted on the Saturna Island Local Trust Committee webpage, and sent

electronically to Saturna Island email subscribers. Residents were invited to provide written submissions or attend a community information meeting,

- g. A community information meeting was held on May 19, 2022, to gather residents' views about the application of which 17 attended and all were in favour.
- h. The residents' views were fully supportive about the application.
- i. The Local Trust Committee agrees with the residents' views that the application should be supported; and
- j. The Local Trust Committee recommends the application be approved.

CARRIED

SA-2022-015

It was Moved and Seconded,

that Saturna Island Local Trust Committee direct staff to include a record of the community information meeting with the response to the Liquor and Cannabis Regulation Branch regarding the Feral Goat Winery application for a New Lounge and Outdoor Patio.

CARRIED

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 New Fees Bylaw - Request for Decision

SA-2022-016

It was Moved and Seconded,

that Saturna Local Trust Committee defer a decision on the new fee bylaw until we have had public consultation in the form of a Community Information Meeting.

CARRIED

Discussion occurred that there should be a Community Information Meeting (CIM) to discuss further the new fees bylaw at the October 20, 2022 Saturna LTC Regular Business Meeting.

13.2 OCP and LUB Minor Review Project – Staff Report

SA-2022-017

It was Moved and Seconded,

that Saturna Island Local Trust Committee proposed Bylaw No. 133, cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 01, 2021”, be read a second time.

CARRIED

SA-2022-018

It was Moved and Seconded,

that Saturna Island Local Trust Committee Bylaw proposed No. 134, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2021”, be amended by replacing the reference to “2.16” with “2.15” in Section 15.1, Subsection 15.1.38.

CARRIED

SA-2022-019

It was Moved and Seconded,

that Saturna Island Local Trust Committee Bylaw proposed No. 134, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2021”, be read a second time as amended.

CARRIED

SA-2022-020

It was Moved and Seconded,

that Saturna Island Local Trust Committee direct staff to schedule a Public Hearing for proposed Bylaws No. 133 and No. 134 to be held on July 21, 2022.

CARRIED

SA-2022-021

It was Moved and Seconded,

that Saturna Island Local Trust Committee direct staff to schedule a community information meeting in conjunction with the public hearing for proposed Bylaws No. 133 and No. 134.

CARRIED

14. REPORTS

14.1 Work Program Reports

14.1.1 Top Priorities Report dated May 2022

Reviewed for information.

14.1.2 Projects List Report Dated May 2022

Reviewed for information.

14.2 Applications Report Dated May 2022

No discussion. Presented for information.

14.3 Trustee and Local Expense Report Dated March 2022

SA-2022-022

It was Moved and Seconded,

that Saturna Island Local Trust Committee request Staff explore the possibility of reallocating Saturna Island Local Trust Committee expense funds of \$2500 to be designated for heritage grants to Cliffside Publishing.

CARRIED

14.4 Adopted Policies and Standing Resolutions

No discussion occurred.

14.5 Local Trust Committee Webpage

No discussion occurred.

14.6 Islands Trust Conservancy Report Dated March 2022

No discussion occurred.

15. NEW BUSINESS

15.1 Draft Annual Report Wording - for approval

SA-2022-023

It was Moved and Seconded,

that Saturna Island Local Trust Committee approve the contents as amended for the 2021/22 Annual Report.

CARRIED

SA-2022-024

It was Moved and Seconded,

that Saturna Island Local Trust Committee move that the rewrite of the Trust's Policy Statement be put on hold and not proceed to First Reading this term, and that all the public consultation materials in their entirety be provided to Trust Council early in the next term for their deliberation.

CARRIED

16. UPCOMING MEETINGS

16.1 The next Regular Meeting is scheduled for July 21, 2022, at the Saturna Recreation and Cultural Centre, Saturna Island, BC

17. TOWN HALL

- Residents expressed concerns that the election wouldn't be a good time to discuss issues regarding governance and what next steps need to be taken. Possibly to have a meeting before the elections to give benefit of the current Trustees experience to have discussion regarding the issues and concerns of the residents.

Chair Patrick added that regarding consultation with First Nations that the reconciliation process is a process that is evolving.

18. CLOSED MEETING

18.1 Motion to Close the Meeting

SA-2022-025

It was Moved and Seconded,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3 s. 90(1) (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and (d) the security of the property of the municipality; for the purpose of considering:

- Adoption of In-Camera Meeting Minutes Dated October 24, 2019
- Appointment of Board of Variance Members

And that the recorder and staff attend the meeting.

CARRIED

Committee closed the meeting at 1:40p.m.

19. ADJOURNMENT

By general consent the meeting was adjourned at 1:40 p.m.

Laura Patrick, Chair

Certified Correct:

Robin Ellchuk, Recorder

Saturna Island Local Trust Committee
Regular Business Meeting
May 19, 2022

DRAFT

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Follow Up Action Report

Saturna Island

14-Feb-2020

Activity	Responsibility	Dates	Status
1 Letter to be sent from the chair to the appropriate agencies/people regarding the LTCs resolution supporting interim sanctuary zones for the recovery of Southern Resident Killer Whales (SKRWs). (see minutes and contact Trustee Middleton for further details). Trustee Middleton to provide draft wording for letter	Clare Frater Mike Richards	Target: 31-Mar-2022	In Progress
2 Letter to be sent from the chair to the appropriate agencies/people regarding the LTCs resolution supporting the regulation of commercial whale watching boats similar to the regulatory regime in the adjacent Washington State waters. (see minutes and contact Trustee Middleton for further details). Trustee Middleton to provide draft wording for letter	Clare Frater Mike Richards	Target: 31-Mar-2022	In Progress

19-May-2022

Activity	Responsibility	Dates	Status
1 6.1 SA-LCB-2022.1 (Feral Goat Winery) CIM - trustees endorsed application via meeting resolutions, staff to communicate results of public input process and LTC resolutions to LCRB and close file	Brad Smith Robin Ellchuk	Target: 03-Jun-2022	Completed
2 5.1 Staff to respond to Mairead Boland re specific questions about GW solutions Oct 2021 report	Brad Smith William Shulba	Target: 03-Jun-2022	In Progress

Follow Up Action Report

Saturna Island

19-May-2022

Activity	Responsibility	Dates	Status
3 5.1 Staff to develop staff report summarizing status of GW solutions groundwater report, results specific to Saturna to date and possible next steps for next meeting agenda	Brad Smith Narrisa Chadwick	Target: 30-Jun-2022	In Progress
4 13.1 Fee bylaw - schedule CIM for Oct 20, 2022 re discussion of fees bylaw	Brad Smith Jas Chonk Robert Kojima	Target: 26-Aug-2022	In Progress
5 13.2 OCP and LUB minor review project - staff to schedule CIM and public hearing at July 21, 2022 regular meeting and undertake statutory notifications	Brad Smith Jas Chonk	Target: 15-Jun-2022	Completed
6 14.3 Staff to explore repurposing of \$2500 of LTC budget to heritage grants for Cliffside publishing	Brad Smith	Target: 03-Jun-2022	Completed
7 15.1 Staff to communicate amending of 2nd paragraph of draft annual report wording to remove "and adopting a new fees bylaw." and that LTC approved as amended,	Brad Smith Robert Kojima	Target: 03-Jun-2022	Completed

File No.: SA-6500-20 Minor
Amendments Project

DATE OF MEETING: July 21, 2022
TO: Saturna Island Local Trust Committee
FROM: Brad Smith, Island Planner
Victoria Office
SUBJECT: Minor Amendments Project – Bylaw No. 133 and 134 – Post Public Hearing

RECOMMENDATION

1. That the Saturna Island Local Trust Committee proposed Bylaw No. 133, cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2021”, be read a third time.
2. That the Saturna Island Local Trust Committee proposed Bylaw No. 134 cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2021”, be read a third time.
3. That the Saturna Island Local Trust Committee proposed Bylaws No. 133 and 134 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.
4. That the Saturna Island Local Trust Committee proposed Bylaw No. 133 be forwarded to the Minister of Municipal Affairs for approval.

REPORT SUMMARY

The intent of proposed Bylaws No. 133 and 134 is to amend the Saturna Island Land Use Bylaw No. 119, 2018 (LUB) and Saturna Island Official Community Plan No. 70, 2001 (OCP) by making minor amendments that will improve clarity of the bylaws and address some longstanding inconsistencies with respect to zoning and land use designations.

The recommendations above are supported as:

- There have been no public, agency or First Nation concerns raised regarding the proposed amendments prior to the public hearing;
- All statutory requirements have been completed including the required notification and holding of a public hearing consistent with the *Local Government Act*;
- All Islands Trust bylaw amendments require the approval of the Executive Committee of the Islands Trust prior to the consideration of adoption; and,
- All Islands Trust OCP amendments require the approval of the Minister of Municipal Affairs prior to the consideration of adoption.

BACKGROUND

The Saturna Island Local Trust Committee (LTC) is considering Bylaws No. 133 and 134 that would amend the LUB and OCP by making minor amendments that will improve clarity of the bylaws and address some longstanding inconsistencies with respect to zoning and land use designations.

Proposed Bylaws No. 133 and No. 134 were given first reading on February 17, 2022 and second reading on May 19, 2022.

A public hearing is scheduled for July 21, 2022. A public hearing is a quasi-judicial process within and following which specific procedures must be followed.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Third Reading.
2. Forwarding of the bylaw to Executive Committee for approval.
3. Forwarding of the bylaw to the Minister's office for approval (OCP amendment bylaws only).
4. Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Executive Committee and Minister approve the bylaw, the next step for the LTC would be to adopt the bylaw.

Rationale for Recommendation:

Based on the foregoing, the recommendations on page 1 are supported as:

- There have been no public, agency or First Nation concerns raised regarding the proposed amendments prior to the public hearing;
- All statutory requirements have been completed including the required notification and holding of a public hearing consistent with the *Local Government Act*;
- All Islands Trust bylaw amendments require the approval of the Executive Committee of the Islands Trust prior to the consideration of adoption; and,
- All Islands Trust OCP amendments require the approval of the Minister of Municipal Affairs prior to the consideration of adoption.

ALTERNATIVES

1. Make amendments to the bylaw(s).

The LTC may amend the bylaw(s).

Resolution:

That Saturna Island Local Trust Committee proposed Bylaw No. 133, cited as "cited as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2021" be amended as follows:

That Saturna Island Local Trust Committee proposed Bylaw No. 134, cited as “cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2021” be amended as follows:

2. Receive for information

The LTC may receive the report for information.

3. Proceed no further with the bylaw.

The LTC may decide to proceed no further with Bylaw No. 133 and 134.

Resolution:

That the Saturna Island Local Trust Committee proceed no further with Bylaw No. 133 and 134.

NEXT STEPS

Upon direction from LTC, staff will send proposed Bylaw No. 129 and 130 to the Islands Trust Executive Committee and Minister of Municipal Affairs for approval.

Submitted By:	Brad Smith, Island Planner Southern Team	July 11, 2022
Concurrence:	Robert Kojima, Regional Planning Manager	July 11, 2022

ATTACHMENTS

1. Proposed Bylaw No. 133
2. Proposed Bylaw No. 134

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 133

A BYLAW TO AMEND SATURNA ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 70, 2000

The Saturna Island Local Trust Committee in open meeting assembled enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2021".

2. SCHEDULES

Saturna Island Official Community Plan No. 70, 2000 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	17 TH	DAY OF	FEBRUARY	2022.
READ A SECOND TIME THIS	19 TH	DAY OF	MAY	2022.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 133**

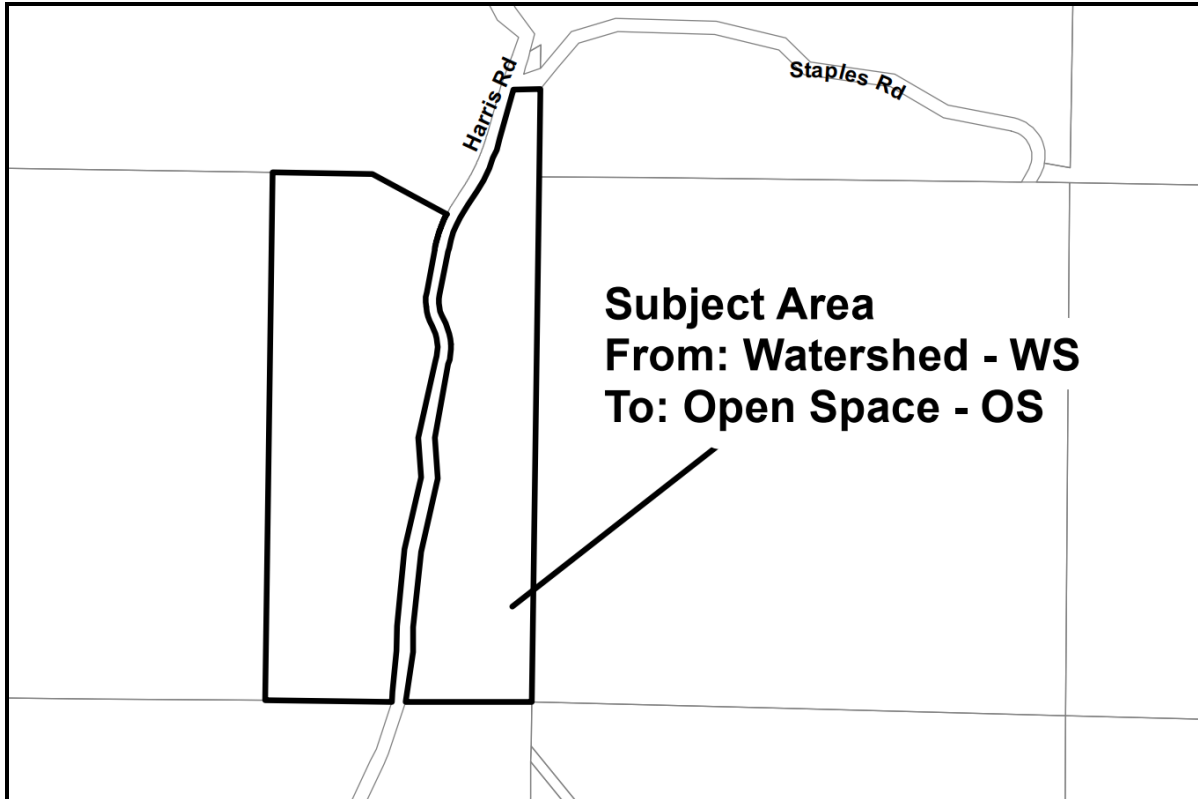
SCHEDULE 1

The Saturna Island Official Community Plan No. 70, 2000, is amended as follows:

1. Schedule "B" – Land Use Designation Map, is amended by changing the land use designation of the land parcel legally described as *Fractional Section 8 Saturna Island Cowichan District Except, 1) West 1/2 Of The Se 1/4 Thereof, 2) Sw 1/4 Thereof, and 3) Those Parts in Plans 2755, 8220, 15123, 18277, 18592, 19557, 19752, 21813, 32473, 40064, 44888, VIP67333, VIP84109, EPP34443 and EPP70279* from Watershed (WS) to Open Space (OS), as shown on Plan No. 3 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" of Bylaw No. 70 as are required to effect this change.
2. Schedule "B" – Land Use Designation Map, is amended by changing the land use designation of the land parcel legally described as *Lot 52, Cowichan District, Containing 1.16 Acres, More Or Less* from Wilderness Reserve (WR) to Rural (R), as shown on Plan No. 3 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" of Bylaw No. 70 as are required to effect this change.

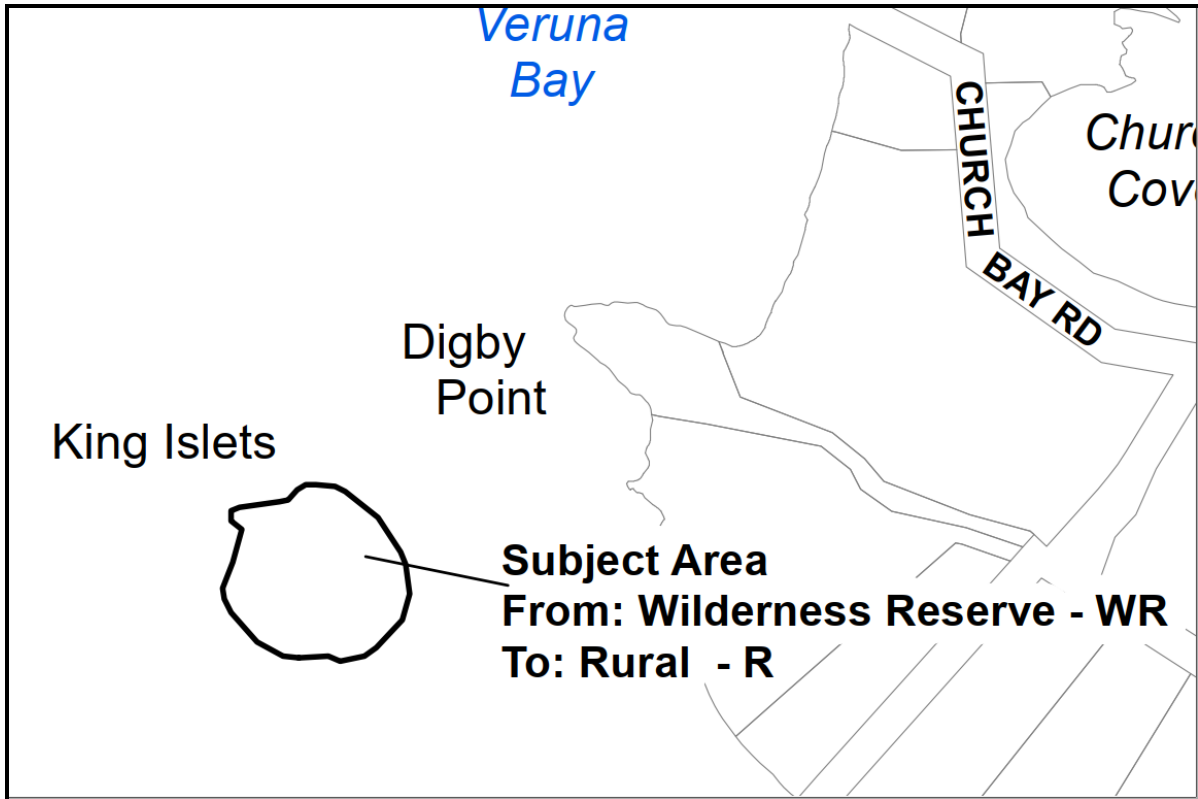
SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 133

Plan No. 1



SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 133

Plan No. 2



PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 134

A BYLAW TO AMEND SATURNA ISLAND LAND USE BYLAW NO. 119, 2018

The Saturna Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Saturna Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2021”.

2. Saturna Island Local Trust Committee Bylaw No. 119, cited as “Saturna Island Land Use Bylaw No. 119, 2018,” is amended as follows:

2.1. Part 11 (Water Zoning Regulations) Section 11.5 (Open Waters Zone), Subsection 11.5.1 (Permitted Uses) is amended by inserting a new Article 11.5.1(6) that reads “Hydrophone research facilities” immediately following Article 11.5.1(5).

2.2. Part 12 (Subdivision Regulations) Section 12.7 (Lot Width) is amended by inserting “exclusive of any panhandle access strip” such that it reads “No lot may have a width less than one third of its depth exclusive of any panhandle access strip.”

2.3. Section 15.1 (Interpretation) Subsection 15.1.34 is amended by inserting “excluding cisterns and other associated water storage infrastructure uses except for pumps and necessary pipes.” such that it reads ““pumphouse” means a subordinate building or structure not exceeding 9.3 square metres (100 sq. ft.) in area, separated from and located on the same parcel as the main building, that is used for water or sewage pumping facilities excluding cisterns and other water storage infrastructure uses except for pumps and necessary pipes.”

2.4. Section 15.1 (Interpretation) Subsection 15.1.33 is amended by deleting “solid waste disposal,” such that it reads ““public service uses” means a use providing for the essential servicing of Saturna Island with water, sewer, electricity, telephone, cablevision, and similar services.”

2.5. Section 15.1 (Interpretation) Subsection 15.1.38 is amended by replacing the reference to “2.16” in the last sentence of the definition with “2.15” such that it reads “For this purpose, a cottage used as short term vacation rental shall be considered an accessory home occupation subject to the regulations established in section 2.15.”

2.6. Schedule “B” – Zoning Map, is amended by changing the zoning classification of the land parcel legally described as *Lot 30, Section 17, Saturna Island, Cowichan District, Plan 7360* from Rural General (RG) to Community Services (CS), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 119 as are required to effect this change.

2.7. Schedule "B" – Zoning Map, is amended by changing the zoning classification of the land parcel legally described as *Fractional Section 8 Saturna Island Cowichan District Except, 1) West 1/2 Of The Se 1/4 Thereof, 2) Sw 1/4 Thereof, and 3) Those Parts in Plans 2755, 8220, 15123, 18277, 18592, 19557, 19752, 21813, 32473, 40064, 44888, VIP67333, VIP84109, EPP34443 and EPP70279* from Watershed (W) to Community Park (CP), as shown on Plan No. 2 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" of Bylaw No. 119 as are required to effect this change.

2.8. Schedule "B" – Zoning Map, is amended by changing the zoning classification of the land parcel legally described as *Lot 52, Cowichan District, Containing 1.16 Acres, More Or Less* from Wilderness Reserve (WR) to Rural Residential (RR), as shown on Plan No. 3 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" of Bylaw No. 119 as are required to effect this change.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

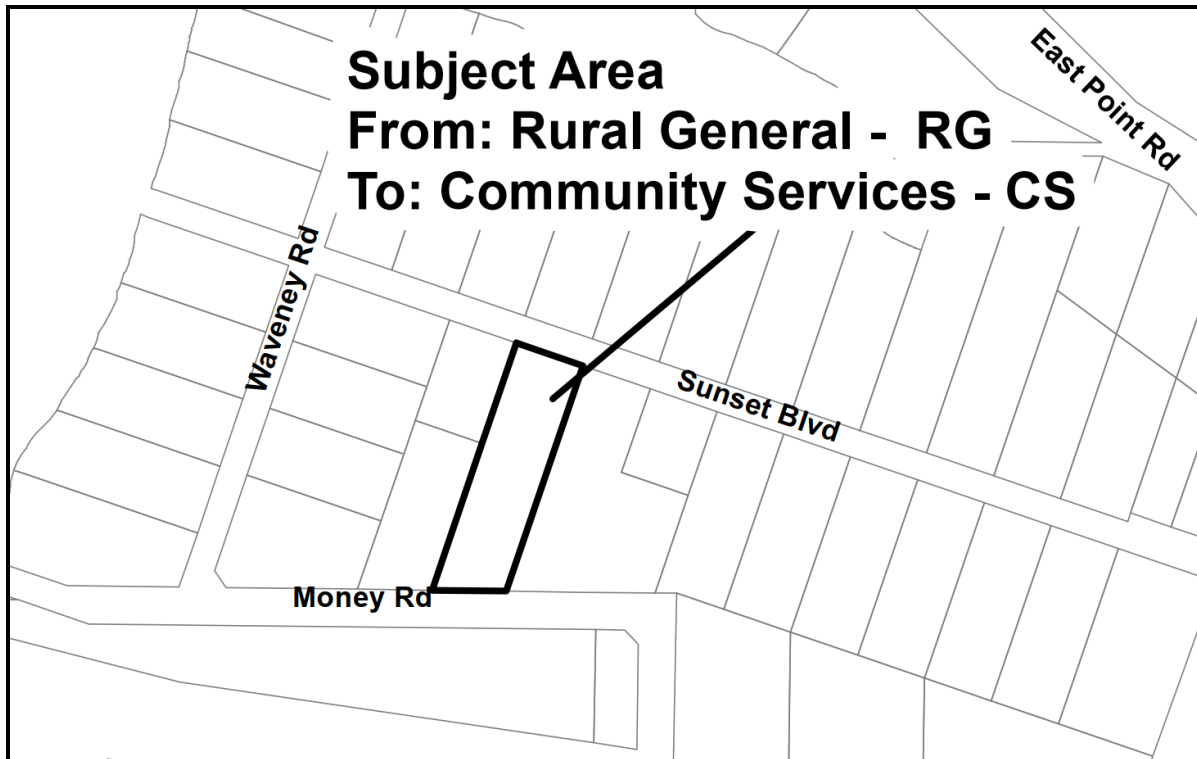
READ A FIRST TIME THIS	17 TH	DAY OF	FEBRUARY	2022.
READ A SECOND TIME THIS	19 TH	DAY OF	MAY	2022.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

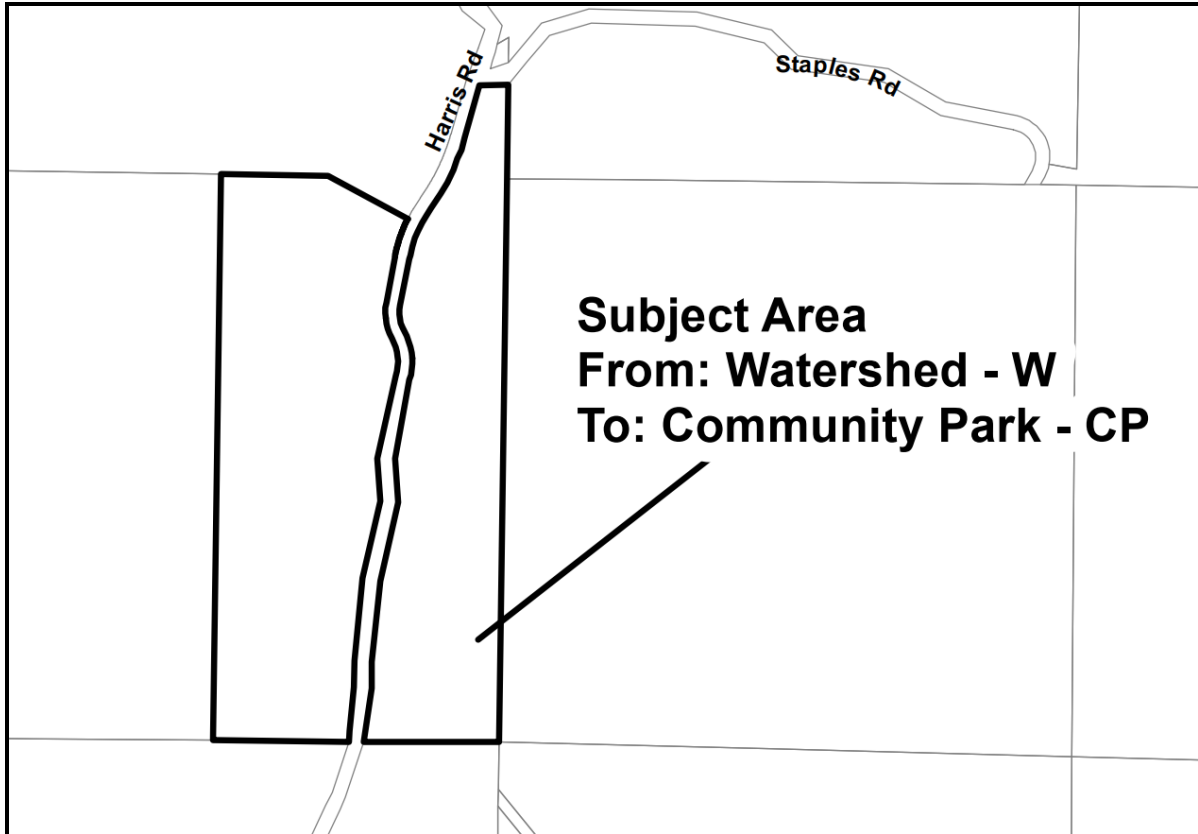
SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 134

Plan No. 1



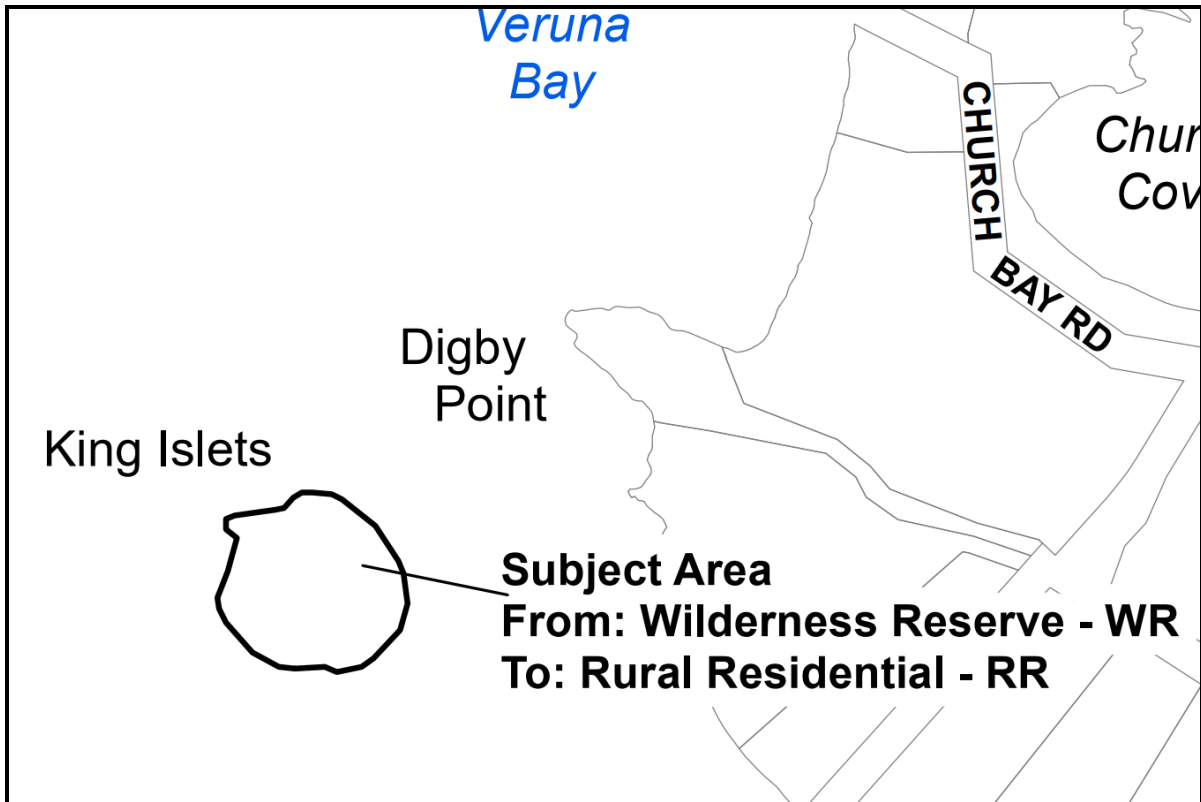
SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 134

Plan No. 2



SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 134

Plan No. 3



Top Priorities Report

Saturna Island

2. LUB/OCP Minor Amendments

Responsible

Dates

1. To consider a number of minor amendments to the OCP and LUB

Brad Smith

Rec'd: 20-May-2021

Target: 30-Sep-2022

Projects Report

Saturna Island

1. *Shoreline Review*

Responsible

Date Received

17-Jun-2016

2. *Groundwater Sustainability Project*

Responsible

Date Received

Phase 1 report pending completed

LTC direction to defer proceeding with consideration of implmentation



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2017.1	RONALD H HALL	22-Nov-2017	Referral of a subdivision to create one new lot.

Planner: Brad Smith

Planning Status

Status Date: 10-Feb-2022

Applicant still working on proof of water

Status Date: 14-Oct-2021

Applicant still seeking proof of potable water for subdivision approval

Status Date: 12-May-2021

Planner has emailed applicant seeking status update

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2018.1	RONALD HALL	01-Feb-2018	Referral of a subdivision to create one new lot.

Planner: Brad Smith

Planning Status

Status Date: 10-Feb-2022

Applicant still considering options

Status Date: 14-Oct-2021

Applicant still considering options

Status Date: 12-May-2021

Planner has emailed applicant seeking status update



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2022.1	Gaines Enterprises Ltd.	01-Feb-2022	Application for a proposed eleven lot subdivision.

Planner: Brad Smith

Planning Status

Status Date: 18-Mar-2022

Applicant advised that layout plan does not comply with zoning and to revise. MoTI advised of delayed response so applicant can revise plan

Status Date: 01-Mar-2022

Advised Owen Page at MoTI that we have received payment and barring any issues we will respond by the end of March.

Status Date: 01-Mar-2022

Sent application package to Saturna LTC for their review and copied Brad, Jas and Robin.

Islands Trust
LTC EXP SUMMARY REPORT F2023
Invoices posted to Month ending May 2022

660 Saturna	Invoices posted to Month ending May 2022	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-660	LTC "Trustee Expenses"	104.00	0.00	104.00
LTC Local				
65050-660	LTC "Executive Expense on LTC's"	278.00	0.00	278.00
65200-660	LTC - Local Exp - LTC Meeting Expenses	1,952.00	0.00	1,952.00
65210-660	LTC - Local Exp - APC Meeting Expenses	333.00	0.00	333.00
65220-660	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-660	LTC - Local Exp - Special Projects	271.00	0.00	271.00
TOTAL LTC Local Expense		<u>3,084.00</u>	<u>0.00</u>	<u>3,084.00</u>
Projects				
73001-660-2012	Saturna OCP/LUB	<u>1,000.00</u>	<u>0.00</u>	<u>1,000.00</u>
TOTAL Project Expenses		<u>1,000.00</u>	<u>0.00</u>	<u>1,000.00</u>



Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2021-007 (Standing) That the Saturna LTC endorses the use of potable rain water catchment systems as proof of adequate potable water for residential subdivision, subject to the withholding of temporary or final occupancy permits until such catchment systems are in place.	Carried	21-Oct-2021
2020-006 (Standing) Whereas the waters of the Saturna Island Local Trust area extend to the US border in Boundary Pass and Georgia Strait, the Saturna Island Local Trust Committee resolves that in the waters of the Local Trust area commercial whale watching boats be regulated and or licensed to mirror the regulatory regime under development in the adjacent waters of Washington State.	Carried	14-Feb-2020
2020-005 (Standing) Be it resolved that the Saturna Island Local Trust Committee fully supports the interim sanctuary zone for the recovery of Southern Resident Killer Whales (SRKWs) in the waters of the Saturna Island Local Trust Area.	Carried	14-Feb-2020
2019-047 (Standing) Be it resolved that in the waters of the Saturna Local Trust Area we support large commercial vessel speed reduction initiatives as part of the Southern Resident Killer Whale 2019 Conservation agreement signed between Canada and shipping industry stakeholders. We acknowledge voluntary speed reduction efforts in the Local Trust Waters and view the requirement to reduce transit speeds in support of SRKW recovery to be the equivalent of a voluntary bylaw in the Saturna Local Trust Area.	Carried	18-Jul-2019
2019-036 (Standing) that the Saturna Island Local Trust Committee only authorize enforcement against unlawful short term vacation rentals, unless one of the following circumstances exists: 1. There is more than one complainant from the immediate neighbourhood; 2. The complaint is made by a representative of an improvement district and it concerns overuse of water; 3. The complaint concerns use of a common driveway servicing at least two separate lots; 4. There is a written complaint by owners or residents in the immediate neighbourhood about bona fide nuisance issues such as noise or parking congestion related to the STVR.	Carried	09-May-2019



Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2019-017 (Standing) that Saturna Local Trust Committee no longer wishes to receive bylaw referrals from adjacent local trust committee areas unless the planner deems it in the interest of the LTC to review and comment on a specific referral.	Carried	09-May-2019
2019-011 (Standing) that the Saturna Island Local Trust Committee directs staff to take enforcement action against unlawful dwellings only if one of the following conditions exists: There is a complaint from an immediate neighbour; or there is a referral from an agency responsible for health and safety issues that is doing concurrent enforcement. Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Saturna Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.	Carried	17-Jan-2019
2018-050 (Standing) - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - o Name of the applicant and a description of the proposal in general terms - o The location of the proposed establishment and the subject site - o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. - o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - o How public comments may be submitted to the local trust committee.	Carried	04-Oct-2018

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2012-011 (Standing)	Carried	09-Feb-2012
It was Moved and Seconded that where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Saturna Island Land Use Bylaw No. 78, 2002 permits public assembly uses, such as halls, recreation facilities or restaurants, and where there have been no issues related to parking or past complaints for the preceding three years, planning staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration		
2011-000 (Standing)	Carried	22-Jun-2011
It was Moved and Seconded that the Saturna Island Local Trust Committee adopt a Standing Resolution to direct staff to place the in camera minutes on the agenda when there is a need to close the meeting or at least once a year.		
2009-009 (Standing)	Carried	25-Feb-2009
It was Moved and Seconded that the Saturna Island Local Trust Committee draft minutes be adopted by Resolution without meeting within 30 days of the meeting and posted to the website.		

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2007-016 (Standing)	Carried	16-May-2007
It was Moved and Seconded that staff be directed to not take enforcement action against property owners when a travel trailer or camper is located on a lot when: - The travel trailer or camper is being used for recreational purposes by the owners of the lot and; - The travel trailer or camper is being used intermittently and for short periods not exceeding two months. Notwithstanding this direction, staff is to take action to prevent the recreational use of travel trailers or campers on inappropriately zoned land if: - The travel trailer or camper is being used as a second residence or; - The trailer or camper is situated within the setbacks for a structure or; - There are serious safety issues, unsightliness, noise, or health problems related to the use or; - A complaint based on the above three items is received from a person who owns neighboring property. Nothing in this direction should be interpreted by a property owner as giving permission to violate the Land Use Bylaw and the Saturna Island Trust Committee may change this policy at any time and may give direction to enforce the Bylaw at any time.		



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY MAY 24, 2022 BOARD MEETING (OPEN PORTION)

NOTE: For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

1. ORGANIZATION UPDATES/TEAM

- The Islands Trust Conservancy (ITC) continues to have a vacancy for one Ministerial appointment to the ITC Board. The [Crown Agencies and Board Resourcing Office](#) is responsible for posting the position.
- ITC Board welcomed Aislyn King as the summer Co-op Student to the ITC team. She will be working as the GIS & Conservation Technician over the summer.
- ITC Board received verbal updates from the ITC Chair and Vice Chair about the Islands Trust Governance Review, the final 2022/23 Islands Trust Budget and the Policy Statement Review Process.
- ITC Board approved audited financial statements for 2021/22.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Manager presented the request for decision regarding the ITC Plan Review to Board members, advising the plan will have a shorter timeline than previous plans (three years instead of five years), and noted the timelines for internal and First Nations referrals processes. The intent is to move towards a more robust engagement of First Nations over the next two to three years in preparation for the next ITC Plan. ITC Board approved the draft ITC Three-Year Plan and directed staff to refer it to local trust committees, the Bowen Island Municipality, Trust Council and First Nations and to bring a final draft to the Board for approval at its November 2022 meeting.
- ITC Board directed staff to prepare a Project Charter for the next ITC Five-Year Plan (2026-2030) with an emphasis on First Nations engagement.
- ITC Board provided input for the draft, July 13, 2022, ITC/Executive Committee liaison meeting. The liaison meeting provides an opportunity for ITC to liaise with Executive Committee regarding overlapping Trust Council and ITC work priorities.
- ITC Board reviewed correspondence received since the last meeting.

3. COVENANT AND PROPERTY ACQUISITIONS

- The ITC Manager presented the Sandy Beach Nature Reserve Management Plan to Board members. Board members discussed adding climate solutions to future management plans including planting of niche species adaptive to climate change. Staff noted that the current



Climate Change Project is examining mitigation and adaptation actions for ITC managed lands. ITC Board approved the plan as amended.

4. COVENANT AND PROPERTY MANAGEMENT

- ITC Board discussed the referral of Proposed Bylaw 526 - Farm Housing Project (Salt Spring). ITC Board recommended approval of Salt Spring Island Local Trust Committee Bylaw 526, subject to the following conditions:
 - Increase of setbacks for any new uses from all lot lines adjacent to the McFadden Creek Nature Sanctuary of 200m, due to potential heron nesting areas (a blue listed species at risk); and
 - Increase of setbacks for any new uses from all lot lines adjacent to other ITC conservation areas to 30 m.

ITC Board also requested the Salt Spring Island Local Trust Committee consider the development of other protections for conservation areas on Salt Spring Island, such as:

- Restrictions on timing of construction to September 15 – January 15 for lots adjacent to ITC and other conservation areas;
- Implementation of erosion controls and soil compaction controls during construction for lots adjacent to ITC and other conservation areas; and
- Increase of setbacks for all lots adjacent to and/or near sensitive ecosystems.
- ITC Board approved placement of a Memorial Bench in the McRae NAPTEP Covenant (Gabriola) noting the bench is in memory of the late Stanley and Maxine McRae..
- ITC Board received a Fallow Deer briefing for Mayne Island and passed a resolution encouraging Trust Council to strongly advocate to the Province for the implementation of sustained, evidence based solutions to invasive Fallow Deer populations on Mayne Island, as requested by the Mayne Island Conservancy Society, to prevent Fallow Deer invasions to other islands.

5. COMMUNICATIONS AND OUTREACH

- ITC Board were presented with the draft 2021/22 Annual Report for approval. Minor edits were noted and the text was approved (as amended) for approval by Trust Council. Communications Specialist noted that this Annual Report was designed to compliment the ITC [Impact Report](#) that is now available on the website.
- The Species at Risk Coordinator briefed Board members on the results of the Gathering for Species at Risk workshop (held March 17, 2022) and [highlighted outcomes of workshop](#).
- The ITC Ecosystem Protection Specialist briefed Board members on the recent Bull Kelp polygon mapping. The [mapping has been uploaded into Map IT and TAPIS mapping](#).

6. FUNDRAISING AND CONSERVANCY SUPPORT

- ITC Board approved the following Opportunity Fund Grants:



ISLANDS TRUST CONSERVANCY

ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

- \$6,000 to Gabriola Land and Trails Trust in support of their Nature Stewards program;
 - \$4,950 to the Galiano Conservancy Association for items noted in their application;
 - \$5,000 to help Raincoast Conservation Foundation and the Pender Islands Conservancy Association protect 18 hectares (44.5 acres) of land known as KELÁ_EKE Kingfisher Forest on North Pender Island. Thanks to the generosity of an anonymous donor and the Sitka Foundation this donation will be matched, making it a \$10,000 contribution towards the protection of this forest. See our [News Release for further details](#).
- ITC Board received a Species at Risk Program update, including information about extension of funding from Environment and Climate Change Canada. ITC Board directed staff to draft and sign an amended contribution agreement with Environment and Climate Change Canada (ECCC), extending the existing Species at Risk Program funding until March 31, 2026, including a budget increase for the 2022/23 fiscal year of \$25,000 and the addition of \$220,000/year in funding for the next three fiscal years (2023/24 through 2025/26).

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>

Shortcuts of interest:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)